

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64373 of 2018

Arising out of P.S. Case No.-162 Year- 2018 Thana-Town District-Darbhangha

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1. Chandan Kumar Son of Gouri Sah, @ Gauri Lal Prasad Resident of Mohalla-Rahamganj, P.S.-Laheriyasara, District-Darbhangha.
2. Dablu Paswan Son of Late Jagdish Paswan, Resident of Village-Bajitpur, P.S.-Nagar, District-Darbhangha.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.K.Jha

For the Opposite Party/s : Mr. A.Pd.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-10-2018 Heard the parties.

Petitioners seek bail in G.O. Case No.720 of 2018 arising out of Town P.S. Case No. 162/18 registered for the offence under Sections 30(a) of Bihar Prohibition & Excise Act.

Allegation as per the F.I.R. is that acting upon a tip of secret information that wine along with some vegetables had been brought by Pick-up Van by the co-accused Yogendra Mahto @ Tiger along with petitioner no.1, namely, Chandan Kumar, the informant along with the raiding party reached the place of occurrence and saw 5 to 7 persons unloading cartoons from the Pick-up van and on seeing the raiding party they started fleeing out of them three persons including the petitioners were arrested.



Submission on behalf of the learned counsel for the petitioners is that nothing has been recovered from possession of the petitioners and they have been falsely implicated in this case. He further submits that similarly situated co-accused have already been granted bail by a coordinate Bench of this Court vide order dated 12.10.2018 passed in Cr.Misc. No.62130 of 2018. He is in custody since 15.08.2018 having no criminal antecedent.

Heard the learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, stated above, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IVth –cum- Special Judge, Darbhanga, in G.O.Case No.720/18 arising out of Town P.S. Case No.162/18 subject to the condition that bailers must be of local having sufficient properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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